

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS –LA – SRSP– Warangal District – Regonda (Mandal) – Repaka and Jukal (Villages) - O.P.No.33/99 - Sanction of decretal charges of **Rs.1,73,062/-** Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A1) DEPARTMENT

G.O.RT.NO. 157

DATE:09.03.2010

Read:

- 1) From the Special Collector, LA, SRSP, SSP & JCRGLIP, Hyd.Lr.No. E2/818/2005, dated:09.12.2009.
- 2) From the Secy.to CCLA, AP, Hyd Lr.No.SRP2/28/10, dt:15.02.10.

O R D E R:

The Secretary to the Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has submitted the proposals for sanction of decretal charges in respect of O.P.No.33/99 pertaining to Repaka and Jukal (Villages) Regonda (Mandal) of Warangal District. The then SDC, LA, SRSP Stage-I & II, Unit-II, Warangal has acquired land an extent of Acs.20.18 gts for excavation of minors and sub-minors of DBM-38 in the limits of Repaka and Jukal (Villages) Regonda (Mandal) of Warangal District vide Award No.36/98, dt:26.11.1998 by fixing the market value @Rs.26,000/- per acre. The awardees have filed petitions U/s.18 of L.A.Act. The Court of II-Additional Senior Civil Judge, Warangal vide judgment and decree dt:19.01.2001 has enhanced the compensation from Rs.26,000/- to Rs.52,000/- per acre. As the enhancement was more than 50%, the Special Deputy Collector has filed an appeal. The Hon'ble High Court in its order dt:01.02.2005 in LAASMP No.350/05 in LAAS No.2394/2001 has passed an interim order to pay half of the decretal charges. Accordingly, an amount of Rs.4,98,432/- was deposited on the file of the Hon'ble Prl.Sr.Civil Judge, Warangal through Cheque bearing No.SRSP 409264, DT:08.07.2005. Finally, the Hon'ble High Court of A.P, Hyderabad has dismissed the appeal filed by the State by confirming the orders of the Lower Court.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.1,73,062/- (Rupees One lakh seventy three thousand and sixty two only)** in respect of O.P.No.33/99 pertaining to Repaka and Jukal (Villages) Regonda (Mandal) of Warangal District subject to verification whether the reference under section 18(1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Section 18 reference was made contrary to the rules/guidelines issued by the Government/ Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The Special Collector, LA, SSP & JCRGLIP, Hyderabad is directed to follow the directions issued by the Hon'ble High Court on 30.04.2007 in W.P.No.2181 of 2005 in disbursement of the above sanctioned decretal charges to the rightful claimants in respect of O.P.No.33/99 for avoiding intervention of the middleman.

4) The expenditure sanctioned in para (2) above, shall be debitable to the following Head of Account under "2701 – Capital Out Lay – M&MI-01 – Major Irrigation - Commercial – M.H.116 – Sriramsagar Project - G.H (11) Normal State Plan – Schemes included in the Plan - S.H (27) Canals & Distributaries – 530 - Major works – 532 – Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

5) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O.No.679/F4(2)/2010-1, dated:02.03.2010.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To

The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.

The Special Collector, LA, SSP, JCRGLIP, Tarnaka, Hyderabad.

The Special Deputy Collector, LA Unit-I, SRSP Stage I&II, Warangal.

The Administrative-cum-Chief Engineer, SRSP, M.J.Road, Hyderabad

The Director of Works Accounts, SRSP, Hyderabad.

Copy to: P.S. to Minister (M& MI).

Finance (W&P) Department/File C.No.1140/LA-III(A1)/2010

SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER